

CITY ATTORNEY

MISSION STATEMENT

It is the mission of the Burbank City Attorney's Office to provide prompt and thorough legal advice to the City Council, City officers and employees; to defend and pursue any and all litigation filed against or by the City of Burbank, Burbank Redevelopment Agency, Burbank Housing Authority, and City officers or employees acting within the course and scope of their official duties; and, to fairly and ethically prosecute all misdemeanors and infractions which are committed within the City limits on behalf of the People of the State of California.

DESCRIPTION

The City Attorney's Office is comprised of three divisions: Departmental Services and Administration, Litigation, and Prosecution. The office employs the City Attorney, ten support attorneys, one paralegal, one administrator, and six support staff members.

Appointed by the Council, the City Attorney serves as general counsel to the City Council, Burbank Redevelopment Agency, Housing Authority, Parking Authority and Youth Endowment Services (YES) Fund Board and is required to attend all meetings. The professional staff of the City Attorney's Office are well-versed in the specialized area of municipal law and related legal areas and provide the depth and breadth of experience and expertise necessary to provide a full range of legal services to the City, its officers and employees.

The Departmental Services staff provide legal support for all transactional matters, including agreements, preparation of resolutions and ordinances, legal opinions, assistance and legal representation to the City Council, Burbank Redevelopment Agency, Burbank Housing Authority, all city departments and many boards and committees. The Prosecution Division prosecutes misdemeanor violations of State and local laws, and initiates criminal and Civil Code compliance actions. The Litigation Division of the City Attorney's Office represents the City, its officers and employees in legal actions brought by and against the City and its various related bodies. The City Attorney's Office continually strives to provide excellent and complete legal representation within the City's budgetary parameters.

OBJECTIVES

- Provide the highest quality legal support and response to questions and issues that arise at weekly City Council meetings.
- Be proactively involved with other City departments on a daily basis in providing ongoing legal advice and counsel on a multitude of projects and subjects, and by attending meetings, hearings and participating in conference calls.
- Promote an "open door policy" throughout the City Attorney's Office by encouraging departments to communicate directly to an individual attorney with whom they regularly interact.
- Be active participants in the City Manager's "Team Approach" to problem solving and project management, which involves extensive collaboration, early issue detection and input from other departments.
- Respond aggressively to all litigation and provide semi-annual status reports to the City Council on all pending litigation.
- Encourage staff to attend conferences and training to further enhance their expertise in specific areas of law.
- Prepare and review all routine resolutions, ordinances and agreements in a timely manner.
- Review and update Burbank Municipal Code modifications and changes.
- Continue a high success rate in the prosecution of misdemeanor cases.
- Facilitate the collection of all court ordered restitution for independent victims, as well as for City property and services.
- React immediately to volatile or emergent situations.

CHANGES FROM PRIOR YEAR

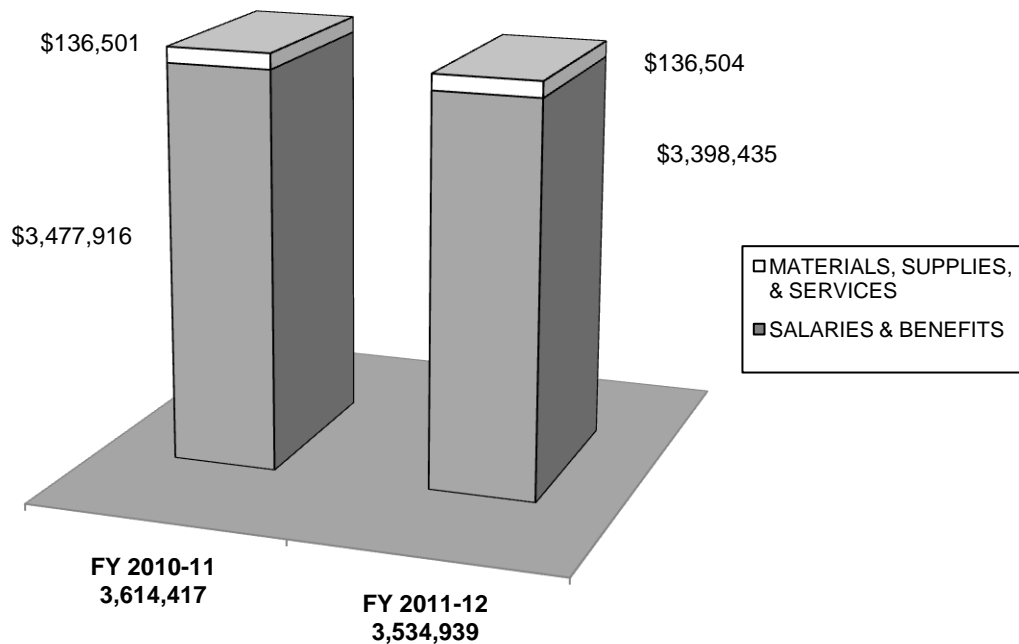
The main change to the City Attorney's Office budget this year is in the Litigation Division. A Senior Assistant City Attorney position has been downgraded to a Deputy City Attorney position and a Legal Secretary position has been eliminated in an effort to reduce costs.

CITY ATTORNEY (cont.)

DEPARTMENT SUMMARY

| | EXPENDITURES 2009-10 | BUDGET 2010-11 | BUDGET 2011-12 | CHANGE FROM PRIOR YEAR |
|-------------------------------|-------------------------|---------------------|---------------------|---------------------------|
| Staff Years | 19.000 | 21.000 | 20.000 | (1.000) |
| Salaries & Benefits | \$ 3,165,872 | \$ 3,477,916 | \$ 3,398,435 | \$ (79,481) |
| Materials, Supplies, Services | 340,160 | 136,501 | 136,504 | 3 |
| TOTAL | \$ 3,506,032 | \$ 3,614,417 | \$ 3,534,939 | \$ (79,478) |

CITY ATTORNEY *Department Summary*



Departmental Services and Administration Division

001CA01A

The overall goal of this division is to carry out the policies and directives established by the City Council. This Division provides legal opinions, prepares or reviews all resolutions and ordinances, drafts, negotiates, reviews and approves all contracts involving very complex transactions such as: Disposition and Development Agreements (DDA's), real property leases, sales and acquisitions, cable and telecommunications agreements, software purchasing and licensing agreements, golf course operations agreements, public works construction and electrical services agreements. It reviews bond documents and coordinates with bond counsel, and advises Boards, Commissions and City staff on Redevelopment and Housing matters, land use, personnel, contracts and leases. This division also handles all administrative functions of the City Attorney's Office, including personnel administration and budget coordination. Many of the attorneys provide ongoing in-service training to various departments.

DIVISION SUMMARY

| | EXPENDITURES 2009-10 | BUDGET 2010-11 | BUDGET 2011-12 | CHANGE FROM PRIOR YEAR |
|-------------------------------|-------------------------|---------------------|---------------------|---------------------------|
| Staff Years | 10.700 | 10.750 | 9.850 | (0.900) |
| Salaries & Benefits | \$ 1,813,812 | \$ 2,004,323 | \$ 1,884,755 | \$ (119,568) |
| Materials, Supplies, Services | 317,069 | 116,140 | 117,735 | 1,595 |
| TOTAL | \$ 2,130,881 | \$ 2,120,463 | \$ 2,002,490 | (117,973) |

Litigation Division

001CA02A

This division is responsible for representing the City, the Redevelopment Agency, and all City employees in litigation filed by and against the City and/or the Redevelopment Agency. These cases typically include multi-plaintiff and defendant federal civil rights suits, multi-plaintiff and multi-defendant employment discriminations suits, sidewalk trip and fall and other dangerous condition-type cases, auto accidents, construction dispute cases, and specialized litigation dealing with prominent public issues. This division has also been involved in a number of cases relative to the purchase and sale of electricity and natural gas, including anti-trust litigation and several class action suits pertaining to environmental issues. This division also interacts proactively with various City departments to implement practices and policies which may prevent future or increased liability. The attorneys also provide ongoing training as part of this proactive approach to litigation prevention.

BUDGET HIGHLIGHTS

The Litigation Division continues to save budgeted monies on training for multiple departments by providing in-house service training to various City departments. In addition to providing training for multiple departments, the City Attorney's Office is a Mandatory Continuing Legal Education (MCLE) Provider and is able to provide much of the MCLE training required by the attorneys in-house as well. In an additional effort to cut costs, a Senior Assistant City Attorney position has been downgraded to a Deputy City Attorney position and a Legal Secretary position has been eliminated from this division.

DIVISION SUMMARY

| | EXPENDITURES 2009-10 | BUDGET 2010-11 | BUDGET 2011-12 | CHANGE FROM PRIOR YEAR |
|--------------------------------------|---------------------------------|---------------------------|---------------------------|-----------------------------------|
| Staff Years | 4.050 | 7.250 | 6.250 | (1.000) |
| Salaries & Benefits | \$ 819,494 | \$ 1,166,884 | \$ 1,036,216 | \$ (130,668) |
| Materials, Supplies, Services | 12,725 | 9,973 | 8,726 | (1,247) |
| TOTAL | <u>\$ 832,219</u> | <u>\$ 1,176,857</u> | <u>\$ 1,044,942</u> | <u>\$ (131,915)</u> |

Prosecution Division

001CA03A

This Division prosecutes City ordinance violations, as well as misdemeanor violations under State law, including Penal, Vehicle, Health & Safety, and Burbank Municipal Codes. The Prosecution Division is also responsible for processing court-ordered restitution collected for victims. Staff assigned to this Division routinely train and coordinate with both the Burbank Police Department and the Burbank Superior Court which greatly enhances the filing and prosecution of criminal cases.

BUDGET HIGHLIGHTS

The Prosecution Division is the only division in the City Attorney's Office producing revenue for the City by collecting the Restitution Administrative Fee. This fee is paid by criminal defendants to the City, essentially offsetting some of the City's costs of collecting restitution.

DIVISION SUMMARY

| | EXPENDITURES 2009-10 | BUDGET 2010-11 | BUDGET 2011-12 | CHANGE FROM PRIOR YEAR |
|--------------------------------------|---------------------------------|---------------------------|---------------------------|-----------------------------------|
| Staff Years | 4.250 | 3.000 | 3.900 | 0.900 |
| Salaries & Benefits | \$ 532,566 | \$ 306,709 | \$ 477,464 | \$ 170,755 |
| Materials, Supplies, Services | 10,366 | 10,388 | 10,043 | (345) |
| TOTAL | <u>\$ 542,932</u> | <u>\$ 317,097</u> | <u>\$ 487,507</u> | <u>\$ 170,410</u> |

Departmental Services and Administration Division

001CA01A

| | | EXPENDITURES FY 2009-10 | BUDGET FY 2010-11 | BUDGET FY 2011-12 | CHANGE FROM PRIOR YEAR |
|-------------------------------|--------------------------------|----------------------------|----------------------|----------------------|---------------------------|
| STAFF YEARS | | 10.700 | 10.750 | 9.850 | (0.900) |
| SALARIES & BENEFITS | | | | | |
| 60001 | Salaries & Wages | \$ 1,346,596 | \$ 1,511,074 | \$ 1,355,333 | \$ (155,741) |
| 60006 | Overtime | 7 | | | |
| 60012 | Fringe Benefits | 452,940 | 488,761 | 185,943 | (302,818) |
| 60012 | Fringe Benefits - Pension | | | 316,792 | 316,792 |
| 60012 | Fringe Benefits - Workers Comp | | | 22,199 | 22,199 |
| 60022 | Car Allowance | 4,055 | 4,488 | 4,488 | |
| 60031 | Payroll Adjustment | 10,214 | | | |
| | | 1,813,812 | 2,004,323 | 1,884,755 | (119,568) |
| MATERIALS, SUPPLIES, SERVICES | | | | | |
| DISCRETIONARY | | | | | |
| 62055 | Outside Legal Services | \$ 174,313 | | | |
| 62170 | Private Contractual Services | 5,291 | | | |
| 62300 | Special Departmental Supplies | 15 | 109 | 109 | |
| 62310 | Office Supplies | 10,997 | 6,487 | 6,487 | |
| 62420 | Book & Periodicals | (150) | | | |
| 62425 | Library Resource Materials | 44,161 | 30,047 | 28,047 | (2,000) |
| 62440 | Office Equip Maint & Repair | 357 | 370 | 370 | |
| 62455 | Equipment Rentals | 3,548 | 3,370 | 5,370 | 2,000 |
| 62700 | Memberships & Dues | 6,975 | 6,855 | 6,855 | |
| 62710 | Travel | 2,432 | 1,800 | 1,800 | |
| 62755 | Training | 12,482 | 10,100 | 10,100 | |
| 62895 | Miscellaneous | 1,342 | 1,280 | 1,280 | |
| NON-DISCRETIONARY | | | | | |
| 62220 | Insurance | 27,976 | 30,104 | 31,990 | 1,886 |
| 62485 | F535 Comm Equip Rental | 12,927 | 12,927 | 12,927 | |
| 62496 | F537 Computer Equip Rental | 14,403 | 12,691 | 12,400 | (291) |
| | | 317,069 | 116,140 | 117,735 | 1,595 |
| PROGRAM TOTAL | | \$ 2,130,881 | \$ 2,120,463 | \$ 2,002,490 | \$ (117,973) |

Litigation Division

001CA02A

| | | EXPENDITURES FY 2009-10 | BUDGET FY 2010-11 | BUDGET FY 2011-12 | CHANGE FROM PRIOR YEAR |
|-------------------------------|--------------------------------|----------------------------|----------------------|----------------------|---------------------------|
| STAFF YEARS | | 4.050 | 7.250 | 6.250 | (1.000) |
| SALARIES & BENEFITS | | | | | |
| 60001 | Salaries & Wages | \$ 613,492 | \$ 873,949 | \$ 740,925 | \$ (133,024) |
| 60012 | Fringe Benefits | 203,204 | 292,935 | 108,753 | (184,182) |
| 60012 | Fringe Benefits - Pension | | | 174,488 | 174,488 |
| 60012 | Fringe Benefits - Workers Comp | | | 12,050 | 12,050 |
| 60022 | Car Allowance | 450 | | | |
| 60031 | Payroll Adjustment | 2,348 | | | |
| | | 819,494 | 1,166,884 | 1,036,216 | (130,668) |
| MATERIALS, SUPPLIES, SERVICES | | | | | |
| DISCRETIONARY | | | | | |
| 62055 | Outside Legal Services | \$ 1,883 | | | |
| 62140 | Special Services | 3,106 | 2,675 | 2,700 | 25 |
| 62755 | Training | (150) | | | |
| NON-DISCRETIONARY | | | | | |
| 62241.1000 | Print Shop | 37 | | | |
| 62496 | F537 Computer Equip Rental | 7,849 | 7,298 | 6,026 | (1,272) |
| | | 12,725 | 9,973 | 8,726 | (1,247) |
| PROGRAM TOTAL | | \$ 832,219 | \$ 1,176,857 | \$ 1,044,942 | \$ (131,915) |

Prosecution Division

001CA03A

| | | EXPENDITURES FY 2009-10 | BUDGET FY 2010-11 | BUDGET FY 2011-12 | CHANGE FROM PRIOR YEAR |
|-------------------------------|--------------------------------|----------------------------|----------------------|----------------------|---------------------------|
| STAFF YEARS | | 4.250 | 3.000 | 3.900 | 0.900 |
| SALARIES & BENEFITS | | | | | |
| 60001 | Salaries & Wages | \$ 385,442 | \$ 216,650 | \$ 329,189 | \$ 112,539 |
| 60006 | Overtime | 63 | | | |
| 60012 | Fringe Benefits | 142,699 | 90,059 | 61,664 | (28,395) |
| 60012 | Fringe Benefits - Pension | | | 78,191 | 78,191 |
| 60012 | Fringe Benefits - Workers Comp | | | 8,420 | 8,420 |
| 60031 | Payroll Adjustment | 4,362 | | | |
| | | 532,566 | 306,709 | 477,464 | 170,755 |
| MATERIALS, SUPPLIES, SERVICES | | | | | |
| DISCRETIONARY | | | | | |
| 62060 | Prosecution Assistance | \$ 2,965 | \$ 3,000 | \$ 2,876 | \$ (124) |
| 62140 | Special Services | 2,721 | 3,201 | 3,300 | 99 |
| 62755 | Training | (150) | | | |
| NON-DISCRETIONARY | | | | | |
| 62496 | F537 Computer Equip Rental | 4,830 | 4,187 | 3,867 | (320) |
| | | 10,366 | 10,388 | 10,043 | (345) |
| PROGRAM TOTAL | | \$ 542,932 | \$ 317,097 | \$ 487,507 | \$ 170,410 |

CITY ATTORNEY
AUTHORIZED POSITIONS

| CLASSIFICATION TITLES Full Time | STAFF YEARS 2009-10 | STAFF YEARS 2010-11 | STAFF YEARS 2011-12 | CHANGE FROM PRIOR YEAR |
|------------------------------------|------------------------|------------------------|------------------------|---------------------------|
| CITY ATTORNEY | 1.000 | 1.000 | 1.000 | |
| CHIEF ASST CITY ATTY | 1.000 | 1.000 | 1.000 | |
| SR ASST CITY ATTY | 7.000 | 8.000 | 7.000 | -1.000 |
| ASST CITY ATTORNEY | 1.000 | 1.000 | 1.000 | |
| DEPUTY CITY ATTORNEY | 1.000 | 1.000 | 2.000 | 1.000 |
| LITIGATION PARALEGAL | 1.000 | 1.000 | 1.000 | |
| LAW OFFICE ADMINISTRATOR | 1.000 | 1.000 | 1.000 | |
| LEGAL SECRETARY | 3.000 | 4.000 | 3.000 | -1.000 |
| LEGAL SECTRL CLERK | 3.000 | 3.000 | 3.000 | |
| TOTAL FULL TIME | 19.000 | 21.000 | 20.000 | -1.000 |
| TOTAL STAFF YEARS | 19.000 | 21.000 | 20.000 | -1.000 |